

3753

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Amidzich  
Serial Number : 09/993,103  
Filed : November 6, 2001  
For : LIQUID FLOW PRESSURE REDUCER AND METHOD  
Examiner :  
Group Art Unit : 3753

#4/Petition  
1.182

BOX DAC  
Office of Petitions  
Assistant Commissioner for Patents  
Washington, D.C. 20231

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TECHNOLOGY CENTER R3700

## CERTIFICATION UNDER 37 CFR 1.8 OF MAILING

Date of Deposit: 3-28-03

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the: Assistant Commissioner for Patents, Box Fee, Washington, D.C. 20231.

By:

Name:

JOINT PETITION UNDER 37 CFR §1.182

The above-captioned patent application is co-owned by Perlick Corporation (Perlick) and Vent-Matic Co., Inc (Vent-Matic). This co-ownership was established by way of an assignment executed by the inventor on November 6, 2001. The assignment was recorded in the United States Patent and Trademark Office (USPTO) at reel 012330, frame 0477 on November 6, 2001. Copies of the assignment and the notice of recordation of assignment document are enclosed as Appendix A. The attorney of record is Timothy Newholm of the law firm of Boyle Fredrickson Newholm Stein & Gratz (hereafter, "Boyle Fredrickson Newholm"). Mr. Newholm is also one of the joint petitioners.

According to MPEP § 402.10, "papers revoking a power of attorney in an application (or giving a power of attorney) will not be accepted by the Office when signed by less than all

of the ... owners of the application unless they are accompanied by a petition and fee under 37 CFR §1.182 giving good and sufficient reasons as to why such papers should be accepted.”

Co-owners of patents have been allowed to have separate counsel when the co-owners harbored “hostilities” towards one another. *In re Goldstein*, 16 USPQ2d. 1963 (rejecting petition by one co-owner to have its attorney continue as the sole representative of record). Specifically, “[h]aving less than the entire interest, neither Company X nor Company Y alone may control the case prosecution. The revocation by Company Y of petitioner’s power of attorney, therefore, mandates that petitioner may not continue as the sole representative of the ownership interests in this case.” Id.

Enclosed as Appendix B are papers revoking the power of attorney granted by Perlick to Boyle Fredrickson Newholm and granting a power of attorney to the undersigned attorney within the law firm of Godfrey & Kahn. Acceptance of these papers will result in two law firms representing the two different owners of the application.

This petition, together with the accompanying papers, is necessary due to a potential conflict that has arisen between the co-owners of the application. Disputes have arisen relating to the subject matter of the patent application referenced above. As a result, and because Boyle Fredrickson Newholm also represents Vent-Matic in connection with other patent applications, Perlick feels that its interests and rights in the subject patent application are not best served by having Vent-Matic’s patent counsel continue to prosecute this application by himself. Because its interests are adverse to Perlick’s in at least some respects, Vent-Matic also feels that its interest would not be served if the application were to be prosecuted solely by Perlick’s counsel. To ensure that this patent application is prosecuted in

accordance with both Perlick's and Vent-Matic's best interests, Perlick and Vent-Matic hereby jointly respectfully request that each party be allowed to have different, independent patent counsel.

Also according to MPEP § 402.10, "[w]hen the acceptance of such papers results in more than one attorney or agent prosecuting the application, the correspondence address will continue to be that of the attorney or agent first named in the application, unless all parties agree." The parties have agreed to permit all correspondence to be forwarded to the law firm of Godfrey & Kahn. Perlick and Vent-Matic have conditioned that agreement and the agreement to file this Petition jointly on the following:

- 1) Both parties acknowledge that the filing of this joint petition does not constitute a waiver of any rights either party may have in the subject application or any claims it may have against the other party as a result of breach of the working agreement or any other action of the other party;
- 2) Godfrey & Khan shall forward all communications to or from the USPTO to Boyle Fredrickson Newholm within one week of their posting to or receipt from the USPTO; and
- 3) Neither party shall take any action with respect to the subject patent application, or allow any deadline to pass, without the express written permission of the other party.

Enclosed herewith as Appendix C are two change of correspondence address forms. One has been signed by a representative of Perlick and the other has been signed by a

representative of Vent-Matic. Both forms change the correspondence address to the law firm of Godfrey & Kahn.

Applicant requests that the Office telephone the undersigneds at their respective telephone numbers appearing below in the event a telephone discussion would be helpful in advancing the granting of this petition in the present application.

Respectfully submitted,

GODFREY & KAHN, S.C.

Dated: *March 27, 2003*

By: *Nicholas A. Kees*  
Nicholas A. Kees  
Registration No. 29,552

GODFREY & KAHN, S.C.  
780 North Water Street  
Milwaukee, WI 53202-3590  
Phone: (414) 273-3500  
Facsimile: (414) 273-5198

BOYLE FREDRICKSON NEWHOLM  
STEIN & GRATZ S.C.

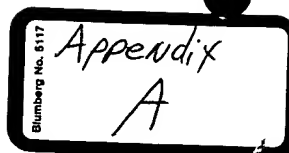
Dated: *March 28, 2002*

By: *Timothy E. Newholm*  
Timothy E. Newholm  
Registration No. 34,400

BOYLE FREDRICKSON NEWHOLM  
STEIN & GRATZ S.C.  
250 East Wisconsin Avenue, Suite 1030  
Milwaukee, WI 53202  
Phone: (414) 225-9755  
Facsimile: (414) 225-9753



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE



JANUARY 24, 2002

PTAS

BOYLE FREDRICKSON NEWHOLM ET AL.  
TIMOTHY E. NEWHOLM  
250 EAST WISCONSIN AVENUE  
SUITE 1030  
MILWAUKEE, WI 53202

Chief Financial Officer and Chief Administrative Officer  
Washington, DC 20231  
www.uspto.gov



\*101908034A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/06/2001

REEL/FRAME: 012330/0477  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

AMIDZICH, BRADFORD G.

DOC DATE: 11/06/2001

ASSIGNEE:

PERLICK CORPORATION  
P.O. BOX 24509  
MILWAUKEE, WISCONSIN 53224-9519

ASSIGNEE:


VENT-MATIC CO., INC.  
757 NORTH BROADWAY  
SUITE 700  
MILWAUKEE, WISCONSIN 53202

SERIAL NUMBER: 09993103  
PATENT NUMBER:

FILING DATE: 11/06/2001  
ISSUE DATE:

012330/0477 PAGE 2

JOANN STEWART, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

Form PTO-1619A Expires 06/30/99 OMB 0651-0027	12-05-2001  101908034 ER SHEET	U.S. Department of Patent and Trademark Office <b>PATENT</b>  141.007
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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

<b>Submission Type</b> <input checked="" type="checkbox"/> New  <input type="checkbox"/> Resubmission (Non-Recordation) Document ID#  <input type="checkbox"/> Correction of PTO Error Reel # Frame #  <input type="checkbox"/> Corrective Document Reel # Frame #	<b>Conveyance Type</b> <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Security Agreement  <input type="checkbox"/> License <input type="checkbox"/> Change of Name  <input type="checkbox"/> Merger <input type="checkbox"/> Other  <div style="text-align: center;"> <i>U.S. Government</i>          (For Use ONLY by U.S. Government Agencies)       </div> <div style="text-align: right;"> <input type="checkbox"/> Departmental File    <input type="checkbox"/> Secret File       </div>
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11/06/01

<b>Conveying Party(ies)</b> <input type="checkbox"/> Mark if additional names of conveying parties attached  Name (line 1) <b>Bradford G.</b>  Name (line 2) <b>AMIDZICH</b>  Name (line 1)  Name (line 2)	Execution Date Month Day Year  <b>November 6, 2001</b>   Execution Date Month Day Year
--	---

<b>Receiving Party</b>  Name (line 1) <b>Perlick Corporation</b>  Address (line 1) <b>P.O. Box 24509</b>  Address (line 2)	<input type="checkbox"/> If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. ( <i>Designation must be a separate document from Assignment.</i> )
--	--

	Milwaukee, city	Wisconsin State/Country	53224-9519 Zip Code
--	--------------------	----------------------------	------------------------

<b>Receiving Party (continued)</b>  Name (line 1) <b>Vent-Matic Co., Inc.</b>  Address (line 1) <b>757 North Broadway</b>  Address (line 2) <b>Suite 700</b>	<input type="checkbox"/> If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. ( <i>Designation must be a separate document from Assignment.</i> )
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	Milwaukee, city	Wisconsin State/Country	53202 Zip Code
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Mail documents to be recorded with required cover sheet(s) information to:  
 Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

12/04/2001 6TOM11 00000073 501170 09993103  
 01 FC:581 40.00 CH

## Correspondent Name and Address

Area Code and Telephone Number 414.225.9755

Name Timothy E. Newhoom

Address (line 1) Boyle Fredrickson Newholm Stein &amp; Gratz S.C.

Address (line 2) 250 East Wisconsin Avenue, Suite 1030

Address (line 3) Milwaukee, WI 53202

Address (line 4)

## Pages

Enter the total number of pages of the attached conveyance document  
including any attachments.# 1

## Application Number(s) or Patent Number(s)

( ) Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).  
Patent Application Number(s) Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was  
signed by the first named executing inventor.

Month Day Year  
**November 6, 2001**

## Patent Cooperation Treat (PCT)

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT

PCT

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## Number of Properties

Enter the total number of properties involved.

# 1

## Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 40.00

Method of Payment:

Enclosed ( X )

Deposit Account ( )

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# 50-1170

Authorization to charge additional fees: Yes ( X )

No ( )

## Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any  
attached copy is a true copy of the original document. Charges to deposit account are authorized, as  
indicated herein.

• Timothy E. Newholm

Name of Person Signing

Signature

November 6, 2001

Date



## ASSIGNMENT

WHEREAS, I, Bradford G. Amidzich, have made a certain new and useful invention for which I am about to make application for Letters Patent of the United States, which application may be identified in the United States Patent Office as Serial No. \_\_\_\_\_, filed \_\_\_\_\_ and entitled:

***Liquid Flow Pressure Reducer and Method***

(Executed: 11-6-2001)

WHEREAS, **Perlick Corporation**, a corporation organized and existing under and by virtue of the laws of the State of Wisconsin and having its principal place of business in Milwaukee, Wisconsin, is desirous of acquiring an interest in and to said invention, said application and the Letters Patent to be obtained therefore; and

WHEREAS, **Vent-Matic Co., Inc.**, a corporation organized and existing under and by virtue of the laws of the State of Wisconsin and having its principal place of business in Milwaukee, Wisconsin, is desirous of acquiring an interest in and to said invention, said application and the Letters Patent to be obtained therefore;

NOW, THEREFORE, for and in consideration of One Dollar and other good and valuable consideration to me in hand paid, the receipt and sufficiency whereof are hereby acknowledged, I have sold, assigned, and set over and by these presents do hereby sell, assign, and set over unto the said **Perlick Corporation and Vent-Matic Co., Inc.**, and said assignees' legal representative, successors and assigns, the equal one-half right, title and interest in and to any and all applications including the aforesaid application, for Letters Patent heretofore and hereafter filed in the United States or any other country and which may be based in whole or in part on said inventions and discoveries, and in and to any and all Letters Patent heretofore or hereafter granted by the United States or any other country and which may be based in whole or in part on said inventions and discoveries, said assignment including the right to file and prosecute any and all such applications and also including the right to sue and recover for any and all such applications and also including the right to sue and recover for any and all infringements of said patents; and request the Commissioner of Patents to issue said Letters Patent to the above-mentioned assignees agreeably with the terms of this assignment.

WE HEREBY AUTHORIZE the law firm of Boyle, Fredrickson, Newholm, Stein & Gratz, S.C. the power to insert in this instrument any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document.

UPON SAID CONSIDERATION, I do hereby covenant for myself and my heirs, legal representatives and assigns that neither I nor any of our said heirs, legal representatives or assigns have or will execute any instrument or perform any act in conflict herewith and that I or my said heirs, legal representatives and assigns will at all times do such acts and execute such papers, without expense to ourselves, as may be necessary or desirable in order to fully protect said inventions and discoveries for the benefit of said assignees, their successors or assigns, and to otherwise carry into full force and effect the text and interest of this assignment.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal.

Date:

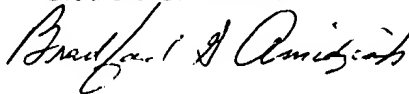
(SEAL)

STATE OF WISCONSIN )

Bradford G. Amidzich

) ss.

Milwaukee COUNTY )



On this 6<sup>th</sup> day of November, 2001, before me, a notary public in and for said county, appeared **Bradford G. Amidzich** who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

Notary Public, State of Wisconsin  
My Commission: in permanent

(SEAL)

Dec 18 2 13:41

DEC-18-2002 13:36

GODFREY &amp; KAHN SC

414 273 5198

P.02

Bumberg No. 517

Appendix  
BPlease type a plus sign (+) inside this box: ☒

PTO/SB/02 (10-00)

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**REVOCATION OF POWER OF  
ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	09/993.103
Filing Date	November 6, 2001
First Named Inventor	Bradford G. Amidzich
Group A1 Unit	3753
Examiner Name	Not yet assigned
Attorney Docket Number	031200-0080

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☒ A Power of Attorney or Authorization of Agent is submitted herewith.

OR

☐ Please change the correspondence address for the above-identified application to:☐ Customer NumberPlace Customer  
Number Bar Code  
Label here

OR

☐ Firm or  
Individual Name

Address

Address

City

Country

State

ZIP

Telephone

Fax

I am the:

☐

Applicant/Inventor

☒

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Name

STEVEN J. BERGUM

of Perlick Corporation

Signature

Date

12/18/02

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. REFERENCE: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/81 (02-01)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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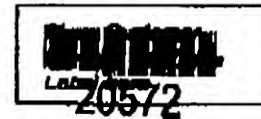
**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	09/993,103
Filing Date	November 6, 2001
First Named Inventor	Bradford G. Amidzich
Title	Liquid Flow Pressure Reducer and Method
Group Art Unit	3753
Examiner Name	
Attorney Docket Number	031200-0080

I hereby appoint:

☒ Practitioners at Customer Number

20572

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer NumberPlace Customer  
Number Bar Code  
Label here☐ Firm or  
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98).

SIGNATURE of Applicant or Assignee of Record.

Name

STEVEN J. BERGUM of Perlick Corporation

Signature

Date

12/18/02

NOTE: Signatures of all the inventor or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

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# CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Application Number	09/993,103
Filing Date	November 6, 2001
First Named Inventor	Bradford G. Amidzich
Art Unit	3753
Examiner Name	Not yet assigned
Attorney Docket Number	031200-0080

Please change the Correspondence Address for the above-identified application to:



Customer Number

Type Customer Number here



OR



Firm or  
Individual Name

Address

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City

State

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Country

Telephone

Fax

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I am the :



Applicant/Inventor.



Assignee of record of the entire interest.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).



Attorney or Agent of record.



Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Typed or Printed  
Name

Allen Silverstein

President

of Vent-Matic Co., Inc.

Signature

*Allen Silverstein*

Date

3/28/03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.



\*Total of 2 forms are submitted.

Dec 18 2 13:41

DEC-18-2002 13:36

GODFREY &amp; KAHN SC

414 273 5198 P.04

PTO/SB/122 (10-01)

Approved for use through 10/31/2002, OMB 0851-0025

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# CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

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Filing Date	November 6, 2001
First Named Inventor	Bradford G. Amidzich
Art Unit	3753
Examiner Name	Not yet assigned
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Please change the Correspondence Address for the above identified application to:

☒ Customer Number

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I am the :

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98).

☐ Attorney or Agent of record.

☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Typed or Printed  
Name

STEVEN J. BERGUM of Perlick Corporation

Signature

Date

12/18/02

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 2 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.